

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING

NOTICE OF FINAL RULEMAKING

The Commissioner of the Department of Insurance, Securities and Banking, pursuant to the authority set forth in section 18 of the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.18 (2001)), hereby gives notice of the adoption of the following amendments to Chapter 1 (Licensure as Insurance Producer) of Title 26 of the District of Columbia Municipal Regulations (“DCMR”), entitled “Insurance.” This rulemaking shall become effective on the date of publication in the D.C. Register.

The sections and subsections affected include §§ 100.2 – 100.10; 102, 102.1-102.2, 105.1, 106.1-106.6, 106.10-106.11, 106.14-106.16, 106.18-106.20, 106.22, 107.1-107.7, 107.10, 107.12-107.15, 108.1, 108.3, 108.5 and 199.

The amendments establish uniformity between District of Columbia regulations and national standards by, among other actions, establishing categories of limited lines licenses, modifying the term of an initial producer license, and correcting and clarifying various provisions in chapter 1 of Title 26 of the DCMR.

Chapter 1 (Licensure as Insurance Producer) of Title 26 of the DCMR is amended as follows:

Subsection 100.2 is amended to read as follows:

100.2 An applicant for a license as a producer may receive qualification in one or more of the following lines of insurance:

- (a) Life;
- (b) Accident and health or sickness;
- (c) Property;
- (d) Casualty;
- (e) Variable life and variable annuity products;
- (f) Bail bonds;

- (g) Surplus lines; and
- (h) One or more of the following limited lines of insurance:
 - (1) Credit;
 - (2) Car rental;
 - (3) Crop;
 - (4) Surety;
 - (5) Travel;
 - (6) A line of insurance the Commissioner recognizes as a limited line of insurance for the purposes of complying with section 8(e) of the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.08(e) (2001)).

Subsection 100.3 is amended by striking the phrase “along with a certificate evidencing completion of the required course of prelicensing education or a certificate evidencing waiver of that requirement,” to read as follows:

100.3 An applicant for a license as a producer shall submit a properly completed application and shall pay the required fee as provided in section 105 of this chapter.

Subsection 100.4 is amended to read as follows:

100.4 An applicant who is a non-resident of the District shall submit a properly completed application and shall hold a valid license, issued by the applicant’s home state, that authorizes the applicant to transact insurance business in the lines of insurance for which application is made.

Subsection 100.5 is amended to read as follows:

- 100.5 A business entity applying for a producer license with major lines of authority shall:
- (a) Have at least one individual affiliated with the business entity with the same lines of authority being requested in the application.
 - (b) Have an individual producer license for every officer, director, employee, and shareholder who personally engages in selling, soliciting or negotiating policies of insurance

Subsection 100.6 is renumbered 100.10 and amended to read as follows:

- 100.10 A person shall not be issued a license in the bail bonds or surplus lines line of insurance unless the person holds, or is simultaneously issued, a license in the property or casualty line of insurance.

New subsections 100.6 through 100.9 are added to read as follows:

- 100.6 A business entity applying for a producer license with limited lines authority shall have at least one individual affiliated with the business entity with the same lines of authority being requested in the application.
- 100.7 An employee or representative of a limited lines business entity shall be authorized to offer, sell, or solicit limited lines insurance under the authority of the limited lines business entity's limited lines producer license if all of the following conditions have been satisfied:
- (a) The employee or representative is 18 years of age or older; and
 - (b) The employee or representative has completed a training and education program.
- 100.8 A limited lines business entity is responsible for all actions of its employees and representatives relating to the offering, sale or solicitation of limited lines insurance. The conduct of an employee or a representative related to insurance shall be deemed to be the conduct of the business entity producer for purposes of this regulation.
- 100.9 Each limited lines Business Entity shall provide a training and education program for each employee or representative prior to allowing such person to offer, sell or solicit limited lines insurance which shall meet the following minimum standards:
- (a) Include instruction about the kinds of insurance specified in the regulation that are offered for sale; and
 - (b) Provide training about the requirements and limitations imposed on limited lines producers and employees.
 - (c) Limited lines car rental training shall include specific instruction on the law which prohibits an employee from making any statement or engaging in any conduct, express or implied, that would lead a consumer to believe:
 - (1) That the purchase of rental car insurance is required in order for the renter to rent a motor vehicle;
 - (2) That the renter does not have insurance policies in place that already provide the coverage being offered by the rental car company; and

- (3) That the employee/agent is qualified to evaluate the adequacy of the renter's existing coverage as it relates to rental.

Section 101 is repealed.

Section 102 is amended as follows:

The section heading is amended to read "**TERM OF LICENSES; RENEWAL OF LICENSES**".

Subsection 102.1 is amended to read as follows:

102.1 The terms of licenses and renewal of licenses shall be as follows:

- (a) An initial license issued to an individual after the effective date of the Producer Licensing Amendment Act of 2008 (and the first renewal after the effective date of the Producer Licensing Amendment Act of 2008 of an individual insurance producer license initially issued before the effective date of the Producer Licensing Amendment Act of 2008) shall expire on the calendar day which both: (i) is the last day of the birth month of the producer; and (ii) falls not less than eighteen (18) months, and not more than twenty-nine (29) months, after the effective date of the initial license;
- (b) An initial license issued to a business entity after the effective date of the Producer Licensing Amendment Act of 2008 (and the first renewal after the effective date of the Producer Licensing Amendment Act of 2008 of a business entity insurance producer license initially issued before the effective date of the Producer Licensing Amendment Act of 2008) shall expire on the May 31 which falls not less than eighteen (18) months, and not more than twenty-nine (29) months, after the effective date of the initial license.
- (c) A renewal of an existing license shall expire two (2) years after the expiration date of the initial license; except, the first renewal after the effective date of the Producer Licensing Amendment Act of 2008 of a license initially issued before the effective date of the Producer Licensing Amendment Act of 2008 shall be governed by paragraphs (a) and (b) of this subsection".

Subsection 102.2 is amended to read as follows:

102.2 An applicant for license renewal shall apply for renewal before the expiration date of the license and shall pay the required renewal fee as provided in section 105 of this chapter.

Subsection 105.1 is amended to read as follows:

- 105.1 The following fees shall apply to producer initial applications, renewal applications, and reinstatement applications:
- (a) One hundred dollars (\$100) for qualifications in one or more of the following lines of insurance (the “life and health group”) as described in section 8(a) of the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.08(a) (2001)):
 - (1) Life;
 - (2) Accident and health or sickness; and
 - (3) Variable life and variable annuity products;
 - (b) One hundred dollars (\$100) for qualifications in one or more of the following lines of insurance (the “property and casualty group”) as described in section 8(a) of the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.08(a) (2001)):
 - (1) Property;
 - (2) Casualty;
 - (3) Personal lines; and
 - (4) Bail bonds;
 - (c) One hundred dollars (\$100) for qualifications in one or more of the following limited lines of insurance:
 - (1) Credit;
 - (2) Car rental;
 - (3) Crop;
 - (4) Surety;
 - (5) Travel;

- (6) A line of insurance the Commissioner recognizes as a limited line of insurance for the purposes of complying with section 8(e) of the Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131.08(e) (2001)).
- (d) Two hundred dollars (\$200) for qualification as a surplus lines producer;
- (e) The renewal fee is the same as the initial license fee and, if applicable, a late fee is double the initial fee;
- (f) The reinstatement fee of each license is double the initial fee; and
- (g) A processing fee of one hundred dollars (\$100) shall be applied to each application filed in paper form.”

Section 106 is amended as follows:

Subsection 106.1 is amended to read as follows:

- 106.1 Except if a producer is licensed only as a limited lines producer and except as otherwise provided in this section, a producer seeking to renew a license shall certify to the Commissioner that he or she has successfully completed at least twenty-four (24) credit hours of approved continuing education, including at least three (3) credit hours of ethics, within the license period.

Subsections 106.2 through 106.5 and subsections 106.7 through 106.9 are repealed.

New subsections 106.2, 106.3 and 106.4 are added as follows:

- 106.2 A producer seeking to renew a license in both the life and health and property and casualty groups of authority shall complete at least six (6) credit hours for each group.
- 106.3 A producer seeking to renew a license in the property and casualty group shall complete at least four (3) credit hours in flood insurance during the licensee’s first license renewal period after the effective date of this provision that includes at least 120 days.
- 106.4 A producer licensed only as a limited lines producer is not required to complete continuing education.

Subsection 106.6 is renumbered subsection 106.5.

Subsection 106.10 is renumbered subsection 106.6 and amended as follows:

The lead-in text is amended by striking the phrase “sixteen (16)” and inserting the phrase “twenty-four (24)” in its place.

Paragraph (j) is amended by inserting the word “and” after the word “Property”.

Subsection 106.11 is repealed.

Subsection 106.14 is amended to read as follows:

106.14 Licensees and instructors shall not earn credit for attending or instructing a subsequent offering of the same course during the same license period.

Subsection 106.15 is amended to read as follows:

106.15 Excess credit hours accumulated during a license period shall not be carried forward to the next license period.

Subsection 106.16 is repealed.

Subsection 106.18 is amended by adding the sentence “The program of independent study, and the number of credit hours, shall be approved by the Commissioner” at the end.

Subsection 106.19 is amended by striking the word “may” and inserting the word “shall” in its place.

Subsection 106.20 is repealed.

Subsection 106.22 is repealed.

Section 107 is amended as follows:

Subsection 107.1 is amended by striking the phrase “prelicensing or”.

Subsection 107.2 is amended as follows:

The introductory text is amended by striking the phrase “106.4” and inserting the phrase “107.4” in its place.

Paragraph (d) is repealed.

Subsection 107.3(b) is amended to read as follows:

- (b) Certify that each instructor:
 - (1) Is experienced and qualified for the course being taught; and
 - (2) Meets one of the following standards:
 - (A) The instructor has been engaged in the insurance business, or has served as an insurance education instructor, for at least three (3) years;
 - (B) The instructor is a member of the bar of any state or the District and is engaged in an area of the law related to insurance; or
 - (C) The instructor is a certified public accountant licensed in any state or the District and is engaged in a practice related to insurance.

Subsection 107.4 is amended as follows:

The lead-in text is amended by striking the phrase “prelicensing or”.

Paragraph (a) is amended by striking the phrase “, which” and inserting the word “that” in its place.

Subsection 107.5(c) is amended by inserting the phrase “a producer or” after the word “by”.

Subsection 107.6 is amended to read as follows:

- 107.6 If the application is in proper form and the applicable requirements of this section are met, the Commissioner shall issue a certificate of approval, which shall contain the effective date and expiration date of the approval.

New subsections 107.7a, 107.7b, and 107.7c are added to read as follows:

- 107.7a The Commissioner shall approve only courses that impart substantive and procedural knowledge relating to the insurance field. The following courses shall not be approved:
- (a) A prelicensing education course;
 - (b) A course designed to prepare a person for a license examination;

- (c) A course in mechanical, office or business skills, including typing, speed reading, or the use of calculators or other machines or equipment;
 - (d) A course in sales promotion;
 - (e) A course in motivation, salesmanship, stress management, time management, psychology, communication, or writing; or
 - (f) A course relating to office management, client relations, or improving the operation of the licensee's business.
- 107.7b The Commissioner may grant approval for courses approved by the insurance regulatory agency in another state provided the course meets the requirement of subsection 107.7a, or the state accords reciprocity in accordance with the National Association of Insurance Commissioners Continuing Education Reciprocity process.
- 107.7c The Commissioner shall determine the number of credit hours to be assigned to each course. In general, one credit hour shall be assigned for each fifty (50) minutes of classroom instruction. The number of approved credit hours shall not include time spent on meals, breaks, or other unrelated activities.

Subsection 107.10 is repealed.

Subsection 107.12 is amended as follows:

Insert the phrase "sponsor or" after the word "The".

Strike the phrase "prelicensing or".

Subsection 107.13 is amended as follows:

Strike the word "may" and insert the phrase "or director shall".

Strike the phrase "A sponsor shall" and insert the phrase "A sponsor or director shall".

Subsection 107.14 is amended by amending the lead-in text as follows:

Advertising shall not be deceptive or misleading. Upon written request by a sponsor or director, the Commissioner shall grant permission to the sponsor or director to use the term "approval pending" if the:

Subsection 107.15 is amended to read as follows:

- 107.15 Sponsors and directors shall provide that fees for courses are reasonable and clearly identified in any advertisement for the course. If a course is cancelled for any reason, the sponsor or director shall refund all fees within thirty (30) days of the cancellation, or, at the request of the license holder, shall transfer the fee to another course offered by the sponsor or director. A sponsor or director shall have a refund policy that addresses a license holder's cancellation or failure to complete a course.

Section 108 is amended as follows:

Subsection 108.1 is amended by adding the phrase "or section 107" after the word "section".

Subsection 108.3 is amended as follows:

Paragraph (a) is amended by inserting the phrase "or section 107" after the word "section".

Subsection (e) is amended by striking the phrase "For continuing education programs only, the failure" and inserting the word "Failure" in its place.

Subsection 108.5 is amended by striking the phrase "or impose monetary penalties not to exceed \$1,000 for the first violation and \$2,000 for each succeeding violation".

A new subsection 108.5a is added to read as follows:

- 108.5a In addition to suspending or revoking approval, or placing a program on probation, the Commissioner may impose monetary penalties not to exceed \$1,000 for the first violation and \$2,000 for each succeeding violation.

Subsection 108.6 is amended by inserting the phrase "(5)" after the word "five".

A new section 199 is added to read as follows:

199 DEFINITIONS

For the purposes of this chapter, the following words and phrases shall have the meanings ascribed:

Birth month – The month of the calendar year in which an individual insurance producer, or an applicant for licensure as an individual insurance producer, was born.

Car rental limited line insurance – Insurance offered, sold, or solicited in connection with and incidental to the rental of rental cars for a period of up to sixty (60) days, whether at the rental office or by pre-selection of coverage in master, corporate, group, or individual agreements that:

- (a) Is non-transferable;
- (b) Applies only to the rental car that is the subject of the rental agreement; and
- (c) Is limited to the following kinds of insurance:
 - (1) Personal accident insurance for renters and other rental car occupants, for accidental death or dismemberment, and for medical expenses resulting from an accident that occurs during the rental period;
 - (2) Liability insurance that provides protection to the renters and other authorized drivers of a rental car for liability arising from the operation or use of the rental car during the rental period;
 - (3) Personal effects insurance that provides coverage to renters and other vehicle occupants for loss of, or damage to, personal effects in the rental car during the rental period;
 - (4) Roadside assistance and emergency sickness protection insurance;
or
 - (5) Any other coverage designated by the Commissioner.

Credit limited line insurance – Credit life, credit disability, credit property, credit unemployment, involuntary unemployment, mortgage life, mortgage guaranty, mortgage disability, guaranteed automobile protection insurance, or any other form of insurance offered in connection with an extension of credit that is limited to partially or wholly extinguishing that credit obligation and that is designated by the Commissioner as limited line credit insurance.

Crop limited line insurance – Insurance providing protection against damage to crops from unfavorable weather conditions, fire or lightning, flood, hail, insect infestation, disease or other yield-reducing conditions or perils provided by the private insurance market, or that is subsidized by the Federal Crop Insurance Corporation, including Multi-Peril Crop Insurance.

Home state – The District of Columbia or any state or territory of the United States in which an insurance producer: (1) Maintains his or her principal place of residence or principal place of business; and (2) Is licensed as a resident insurance producer.

License period – The period of time starting on, and including, the day on which an insurance producer license becomes effective and ending on, and including, the day on which the license expires absent renewal. For the purposes of this definition, a license that is renewed becomes effective on the date the renewal is effective.

Surety limited line insurance – Insurance or bond that covers obligations to pay the debts of, or answer for the default of another, including faithlessness in a position of public or private trust. For the purposes of limited line licensing, surety limited line insurance does not include surety bail bonds.

Travel limited line insurance – Insurance coverage for trip cancellation, trip interruption, baggage, life, sickness and accident, disability, and personal effects when limited to a specific trip and sold in connection with transportation provided by a common carrier.

**THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF FINAL RULEMAKING**

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §3-1306, District of Columbia Financial Responsibility and Management Assistance Authority Order issued September 21, 1996, and Office of the Chief Financial Officer Financial Management Control Order No. 96-22 issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapters 6 and 9 of Title 30 DCMR, "Lottery and Charitable Games." These final rules are necessary to implement changes to the POWERBALL® game in concert with the Multi-State Lottery Association ("MUSL") twenty-nine lottery organizations members starting January 4, 2009. No substantive changes have been made to the text of these proposed rules published in the D.C. Register on November 28, 2008 at 55 DCR 012152. These final rules will be effective upon publication of this notice in the D.C. Register.

AMEND CHAPTER 6, "CLAIMS AND PRIZE PAYMENTS"

Amend section 606.3 to read as follows:

- 606.3 Except as otherwise provide in Chapter 9 of this title, annuitized prizes shall be paid annually in thirty (30) payments with the initial payment being made in cash or check, to be followed by twenty-nine (29) payments funded by the annuity. All annuitized prizes shall be paid annually in thirty (30) graduated payments (increasing each year) by a rate as determined by the Executive Director. Prize payments may be rounded down to the nearest one thousand dollars (\$1,000).

AMEND CHAPTER 9, "DESCRIPTION OF ONLINE GAMES"

Amend section 906 to read as follows:

906 DESCRIPTION OF THE POWERBALL® GAME

- 906.1 POWERBALL® is a five (5) out of fifty-nine (59) plus one (1) out of thirty-nine (39) online lottery game which pays the Grand Prize, at the player's election, on an annuitized pari-mutuel basis or as a cash lump sum payment of the total cash held for this prize pool on a pari-mutuel basis. Except as provided in these rules, all other prizes are paid on a fixed cash basis. To play POWERBALL®, a player must select five (5) different numbers, between one (1) and fifty-nine (59) and one additional number between one (1) and thirty-nine (39) for input into a terminal.

Amend section 908 to read as follows:

908 POWERBALL® GRAND PRIZE PAYMENT

Amend section 908.1 to read as follows:

- 908.1 Except as provided in section 908.19, POWERBALL® Grand prizes shall be paid with either a per winner annuity or cash payment. Annuitized prizes shall be paid in thirty (30) annual graduated installments over a period of twenty-nine (29) years.

Amend section 909 to read as follows:

909 POWERBALL® FIXED PRIZE STRUCTURE

- 909.1 Provided the prize pools are fully funded, the fixed prize payments for POWERBALL® based on a one dollar (1) bet are as follows:

Number of Matches Per Play

- | | | |
|-----|--|---------------|
| (a) | All five (5) of the first set and
none of the second set | \$ 200,000.00 |
| (b) | Any four (4) of the first set plus
one (1) of the second set | \$ 10,000.00 |
| (c) | Any four (4) of the first set and
none of the second set | \$ 100.00 |
| (d) | Any three (3) of the first set plus
one (1) of the second set | \$ 100.00 |
| (e) | Any three (3) of the first set and
none of the second set | \$ 7.00 |
| (f) | Any two (2) of the first set plus
one (1) of the second set | \$ 7.00 |

- (g) Any one (1) of the first set plus one (1) of the second set \$ 4.00
- (h) None of the first set plus one (1) of the second set \$ 3.00

Amend section 910 to read as follows:

910 PROBABILITY OF WINNING

910.1 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in POWERBALL®

PROBABILITY DISTRIBUTION

<u>Number of Matches Per Ticket</u>	<u>Winners</u>	<u>Probability</u>	<u>Probable Set Prize Amount</u>
All five (5) of first set plus one (1) of the second set	1	1: 195,249,054	Jackpot
All five (5) of the first set and none of the second set	38	1: 5,138,133	\$200,000.00
Any four (4) of the first set plus one (1) of the second set	270	1: 723,145	\$10,000.00
Any four (4) of the first set and none of the second set	10,260	1: 19,030	\$100.00
Any three (3) of the first set plus one (1) of the second set	14,310	1: 13,644	\$ 100.00
Any three (3) of the first set plus none of the second set	543,780	1: 359	\$7.00
Any two (2) of the first set plus one (1)			

of the second set	248,040	1:	787	\$7.00
Any one (1) of the first set plus one (1) of the second set	1,581,255	1:	123	\$4.00
None of the first set plus one (1) of the second set	3,162,510	1:	62	\$3.00
Overall	5,560,464	1:	35	

Amend sections 913.3 and 913.4 to read as follows:

- 913.3 A qualifying play which wins one of the seven lump sum set prizes (excluding the Match 5+0 prize) will be multiplied by the number selected (2 through 5), in a separate random Power Play drawing announced during the official POWERBALL® drawing.
- 913.4 The announced Match 5+0 prize, for players selecting the Power Play option shall be multiplied by five (5) unless a higher limited promotional multiplier is announced by the MUSL Group.

Add section 913.5 to read as follows:

- 913.5 A separate random Power Play drawing shall be conducted and results announced during each of the regular POWERBALL® drawings held during the promotion. During each POWERBALL® drawing a single number from a series of 15 numbers will be selected. The numbers available for selection to be drawn are (2, 3, 4, and 5). The Executive Director may change one or more of these multiplier numbers for special promotions from time to time.

Amend section 914 to read as follows:

914 POWERBALL® POWER PLAY PRIZE POOL AND PRIZE PAYMENT

- 914.1 The prize pool for all prize categories shall consist of up to forty-nine and five tenths percent (49.5%) of each drawing period's sales, including tax, after the POWERBALL® prize reserve accounts reach the amounts designated by the Executive Director in accordance with all agreements governing the conduct of POWERBALL® and Power Play. Once the prize reserve accounts exceed the designated amounts, the

excess shall become part of the prize pool. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game prize reserve account or expended as otherwise directed by the Executive Director in accordance with all agreements governing the conduct of POWERBALL® and Power Play.

914.2 An additional half percent (0.5%) of sales, including tax, may be collected and placed in trust in one or more prize reserve accounts until the prize reserve accounts reach the amounts designated by the Executive Director in accordance with all agreements governing the conduct of POWERBALL® and Power Play.

914.3 Except as provided in these rules, all prizes awarded shall be paid as lump sum set prizes. Instead of the POWERBALL® set prize amounts, qualifying Power Play plays will pay the amounts shown below when matched with the Power Play number drawn:

	Prize Amount	5X	5X	5X	5X
Match 5+0	\$200,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000

	Prize Amount	5X	4X	3X	2X
Match 4+1	\$10,000	\$50,000	\$40,000	\$30,000	\$20,000
Match 4+0	\$100	\$500	\$400	\$300	\$200
Match 3+1	\$100	\$500	\$400	\$300	\$200
Match 3+0	\$7	\$35	\$28	\$21	\$14
Match 2+1	\$7	\$35	\$28	\$21	\$14
Match 1+1	\$4	\$20	\$16	\$12	\$8
Match 0+1	\$3	\$15	\$12	\$9	\$6

In certain rare instances, the POWERBALL® set prize amount may be less than the amount shown. In such case, the Power Play prizes will be a multiple of the changed POWERBALL® prize amount announced at the draw. For example, if the Match 5 POWERBALL® set prize amount of \$200,000 becomes \$150,000 under the rules of the POWERBALL® game, then a Power Play player winning that prize amount with a 5X multiplier would win \$750,000 (\$150,000 x 5).

914.4 The following table sets forth the probability of the various Power Play numbers being drawn during a single POWERBALL® drawing, except that the Power Play number for the Match 5+0 prize will be at least five (5X) ; setting the probability of the 5X being drawn for the Match 5+0 prize at 1 in 1. The MUSL Group may elect to run limited promotions that may increase the multiplier numbers.

Power PlayProbability of Prize Increase

5X – Prize Won Times 5	1 in 4
4X – Prize Won Times 4	1 in 4
3X – Prize Won Times 3	1 in 4
2X – Prize Won Times 2	1 in 4

Power Play does not apply to the POWERBALL® Grand Prize or to any Bonus Prize.

- 914.5 The prize money allocated to the Match 5 Bonus Prize shall be divided equally by the number of games boards winning the Match 5 prize when a game board wins the new high jackpot amount.

DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

NOTICE OF FINAL RULEMAKING

The Director of the District Department of Transportation, pursuant to the authority of section 7 of the Performance Parking Pilot Zone Temporary Act of 2008 (Act), effective June 5, 2008 (D.C. Law 17-170; 55 DCR 5185), or any substantially identical permanent legislation, Mayor's Order 2008-56 (March 28, 2008), sections 3 and 5(3) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02 and 50-921.04(3)), and sections 6(a)(1), (a)(5), and (a)(6) of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03(a)(1), (a)(5), and (a)(6)), hereby gives notice of the adoption of amendments to Chapter 24 of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR). The amendments implement the Adams Morgan Taxicab Zone Pilot Program established by the Act.

A Notice of Emergency and Proposed Rulemaking (1st Emergency Rulemaking) was published in the D.C. Register on May 30, 2008, at 55 DCR 6221. A second Notice of Emergency and Proposed Rulemaking (2nd Emergency Rulemaking) was published on Sept 26, 2008, at 55 DCR 10030, because the Adams Morgan Taxicab Zone Emergency Amendment Act of 2008, effective July 16, 2008 (D.C. Act 17-428; 55 DCR 8252), expanded the boundaries of the Adams Morgan Taxicab Zone to include additional streets that were not contemplated in the 1st Emergency Rulemaking. Thus, the 2nd Emergency Rulemaking was necessary so the public could comment on the new areas comprising the Adams Morgan Taxicab Zone. No public comments were received on the 2nd Emergency Rulemaking rule and no changes have been made since publication of the 2nd Emergency Rulemaking.

The final rule will be effective upon publication of this notice in the D.C. Register.

Title 18 DCMR is amended as follows:**Chapter 24 (Stopping, Standing, Parking, and Other Non-Moving Violations) is amended by adding new subsections 2409.9 through 2409.16 to read as follows:**

- 2409.9 Subsections 2409.9 through 2409.16 implement and apply to the Adams Morgan Taxicab Zone during the Adams Morgan Taxicab Zone Pilot Program. The pilot program commences on May 15, 2008, and concludes on October 1, 2010.
- 2409.10 The Director designates the following areas as the Adams Morgan Taxicab Zone:
- (a) The width of 18th Street, N.W., from the intersection of 18th Street, N.W., and Wyoming Avenue, N.W., to the intersection of 18th Street, N.W., and Columbia Road, N.W.; and

- (b) The width of Columbia Road, N.W., from the intersection of Columbia Road, N.W., and Biltmore Street, N.W., to the intersection of Columbia Road, N.W., and Euclid Street, N.W.

2409.11 The Adams Morgan Taxicab Zone hours shall be:

- (a) From 9:00 p.m. Thursday to 4:00 a.m. Friday;
- (b) From 9:00 p.m. Friday to 4:00 a.m. Saturday; and
- (c) From 9:00 p.m. Saturday to 4:00 a.m. Sunday.

2409.12 No taxicab operator shall pick up a passenger for hire during Adams Morgan Taxicab Zone hours, except at a designated taxicab stand.

2409.13 A taxicab shall stand only in a taxicab stand during Adams Morgan Taxicab Zone hours to await passengers for hire.

2409.14 The Director shall post signage to identify zone hours, zone restrictions, and taxicab stand locations.

2409.15 The Director may list taxicab stand locations in a public notice to be published in the D.C. Register.

2409.16 Except as provided in §§ 2409.9 through 2409.15, Title 31 of the District of Columbia Municipal Regulations shall apply to the Adams Morgan Taxicab Zone.